



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

July 13, 2005

Jon F. Walters, Treasurer
International Brotherhood of Electrical Workers
Committee on Political Education
900 Seventh St. N.W.
Washington, DC 20001

Response Due Date:
August 12, 2005

Identification Number: C00027342

Reference: June Monthly Report (5/1/05-5/31/05)

Dear Mr. Walters:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §§110.1(d) and 110.2(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

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Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

-Commission Regulations require that a committee disclose the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR §104.3(a)(4)(i)) Identification for an individual is defined as the full name, mailing address, occupation and name of employer. (11 CFR §100.12) Your report discloses contributions from individuals for which the identification is not complete.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR §104.7(b)(1))

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Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2))
The request must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you shall either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR §104.7(b)(4))

Please provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

-Schedule A of your report (see attached) discloses one or more contributions from an organization(s), which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible.

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To the extent that your committee has received prohibited funds, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. Should you choose to transfer-out or refund the contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-Schedule A of your report discloses an aggregate year-to-date total(s) for a contribution(s) received from individuals which appears to be incorrect. Please amend your report to provide the correct aggregate year-to-date total(s).

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Disbursements made on behalf of a non-federal candidate should be properly disclosed on a separate Schedule B, supporting Line 29 of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee.

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Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1137.

Sincerely,



Katrina Senger

Campaign Finance Analyst
Reports Analysis Division

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Excessive Contributions Received from an Individual

Contributor Name	Date	Amount	Report
Barry O. Mitchell	4/22/05	\$5,000.00	2005 May Monthly
Barry O. Mitchell	5/27/05	\$5,000.00	2005 June Monthly
Charles T. Seymour	2/18/05	\$1,807.13	2005 March Monthly
Charles T. Seymour	3/11/05	\$91.20	2005 April Monthly
Charles T. Seymour	4/18/05	\$1,011.99	2005 May Monthly
Charles T. Seymour	5/13/05	\$1,438.60	2005 June Monthly
Charles T. Seymour	5/27/05	\$10,000.00	2005 June Monthly
Dennis C. Duffy	2/11/05	\$4,796.33	2005 March Monthly
Dennis C. Duffy	3/11/05	\$3,645.50	2005 April Monthly
Dennis C. Duffy	4/8/05	\$3,850.67	2005 May Monthly
Dennis C. Duffy	5/6/05	\$6,091.21	2005 June Monthly
Edward D. Taft	2/25/05	\$2,505.56	2005 March Monthly
Edward D. Taft	3/11/05	\$45.80	2005 April Monthly
Edward D. Taft	4/08/05	\$32.95	2005 May Monthly
Edward D. Taft	4/29/05	\$2,730.03	2005 May Monthly
Edward D. Taft	5/6/05	\$187.20	2005 June Monthly
George R. Saltsman	2/18/05	\$2,309.00	2005 March Monthly
George R. Saltsman	5/13/05	\$3,278.00	2005 June Monthly
Gregory A. Stephens	1/31/05	\$2,593.80	2005 February Monthly
Gregory A. Stephens	2/11/05	\$34.82	2005 March Monthly
Gregory A. Stephens	2/28/05	\$1,456.47	2005 March Monthly
Gregory A. Stephens	3/11/05	\$95.42	2005 April Monthly
Gregory A. Stephens	3/31/05	\$1,294.07	2005 April Monthly
Gregory A. Stephens	4/22/05	\$36.20	2005 May Monthly
Gregory A. Stephens	4/30/05	\$1,426.47	2005 May Monthly
Gregory A. Stephens	5/27/05	\$18.96	2005 June Monthly
Gregory A. Stephens	5/31/05	\$1,426.47	2005 June Monthly
James A. Weldon	5/13/05	\$5,500.00	2005 June Monthly
James H. Underwood	5/6/05	\$6,565.07	2005 June Monthly
John H. Smith	5/13/05	\$10,000.00	2005 June Monthly

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Excessive Contributions Received from an Individual

Contributor Name	Date	Amount	Report
Johnny Morris	2/25/05	\$3,349.95	2005 March Monthly
Johnny Morris	4/8/05	\$2,964.90	2005 May Monthly
Johnny Morris	5/6/05	\$2,479.32	2005 June Monthly
Kenneth R. MacDougall	3/11/05	\$4,137.71	2005 April Monthly
Kenneth R. MacDougall	4/1/05	\$4,164.92	2005 May Monthly
Kenneth R. MacDougall	5/6/05	\$4,421.61	2005 June Monthly
Michael W. Yarbrough	5/27/05	\$15,389.28	2005 June Monthly
Ralph F. Ranhelli	2/18/05	\$135.00	2005 March Monthly
Ralph F. Ranhelli	3/11/05	\$135.00	2005 April Monthly
Ralph F. Ranhelli	4/15/05	\$164.25	2005 May Monthly
Ralph F. Ranhelli	4/22/05	\$5,290.06	2005 May Monthly
Ralph F. Ranhelli	5/27/05	\$129.00	2005 June Monthly
Robert C. Orr	3/11/05	\$2,708.82	2005 April Monthly
Robert C. Orr	4/29/05	\$2,061.54	2005 May Monthly
Robert C. Orr	5/27/05	\$2,036.85	2005 June Monthly
Thomas Van Arsdale	2/18/05	\$34,573.46	2005 March Monthly
Thomas Van Arsdale	3/11/05	\$14,315.59	2005 April Monthly
Thomas Van Arsdale	4/15/05	\$19,546.21	2005 May Monthly
Thomas Van Arsdale	5/27/05	\$17,383.97	2005 June Monthly
Timothy J. Lucas	2/18/05	\$5,950.18	2005 March Monthly
Timothy J. Lucas	3/11/05	\$4,584.41	2005 April Monthly
Timothy J. Lucas	4/8/05	\$6,090.41	2005 May Monthly
Timothy J. Lucas	5/6/05	\$6,299.11	2005 June Monthly
William L. Patrick	2/25/05	\$2,719.86	2005 March Monthly
William L. Patrick	3/11/05	\$300.00	2005 April Monthly
William L. Patrick	3/13/05	\$2,401.45	2005 April Monthly
William L. Patrick	4/22/05	\$2,993.35	2005 May Monthly
William L. Patrick	5/27/05	\$4,661.03	2005 June Monthly

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Receipt from an Unregistered Committee

Contributor Name	Date	Amount
Utility Conference	5/27/05	\$4,500.00

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